

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

IN RE:

Bake-Line Group, LLC

Debtor(s)

CASE NO. 04-10104 (CSS)

CHAPTER 7

**Objection Deadline: August 13, 2021 at 4:00 p.m.
Hearing Date: September 15, 2021 at 11:15 a.m.**

MOTION TO DEPOSIT UNCLAIMED FUNDS

Pursuant to Federal Rule 3011, the Trustee in the above-captioned case hereby submits this Motion for permission to turn over to the Clerk of the Bankruptcy Court unclaimed dividends in the amount of \$1,206,571.45.

BACKGROUND

1. On September 22, 2020, the Trustee filed the Trustee's Final Report and Account of the Administration of the Estate (the "Final Report").
2. On October 28, 2020, the Court entered an Order approving the Final Report and authorizing the Trustee to distribute the funds in the Debtor's bankruptcy estate in accordance therewith, and the Trustee made the distribution to creditors in accordance with the Final Report.
3. The distribution included several checks made payable to various creditors (the "Claimants"). The checks were mailed to the addresses listed in the Final Report, which were the addresses provided in the Proofs of Claim filed by the Claimants.
4. The Claimants were listed in the Final Report; the Claimants did not object to the Final Report or to the addresses listed for distribution.

5. Exhibit “A” represents Claimants that are deceased. The Trustee seeks to deposit \$778.59 for Claimants that are deceased.

6. Exhibit “B” represents companies that, upon information and belief, the Trustee determined are closed. The Trustee seeks to deposit \$26,945.53 for Claimants whose companies are closed.

7. Exhibit “C” represents Claimants the Trustee cannot locate after reasonable investigation. The Trustee seeks to deposit \$134,512.98 for Claimants the Trustee cannot locate.

8. Exhibit “D” represents Claimants the Trustee has contacted and whose checks were received and not deposited by the Claimants. The Claimants have received at least two distribution checks each. The Trustee has requested the Claimants deposit the distribution checks and have failed to do so. The Trustee seeks to deposit \$1,043,587.02 for Claimants who have failed to deposit their checks.

9. Exhibit “E” represents Claimants whose claims have been satisfied and the resulting redistribution of funds would result in di minimis amounts to Claimants. These funds would ultimately be deposited with the Court Registry. The Trustee seeks to deposit \$747.33 representing all Claimants whose claims are satisfied.

- a. By way of further explanation, claims #1009, #1010, #1012, #1013, #1014, #1015, and #1016 were filed by C. Kenneth Still, Trustee, on behalf of various debtors who filed for bankruptcy in the Eastern District of Tennessee (the “Tennessee Bankruptcy Cases”). The distribution checks were sent to C. Kenneth Still’s counsel.

RELIEF REQUESTED

10. The Trustee hereby requests that the Court enter an Order authorizing the deposit of the Unclaimed Funds, totaling \$1,206,571.45 in the Court Registry.

11. Pursuant to Section 347 of the Bankruptcy Code, “[n]inety days after the final distribution under section 726, 1226, or 1326 of this title in a case under chapter 7, 12, or 13 of this title, as the case may be, the trustee shall stop payment on any check remaining unpaid, and any remaining property of the estate shall be paid into the court and disposed of under chapter 129 of title 28.” 11 U.S.C. § 347.

12. Ninety days have passed since the Trustee made final distribution in this case and the Trustee has voided the Unclaimed Funds.

13. The Trustee believes that the Unclaimed Funds should be paid to the Court Registry at this time.

14. Pursuant to Federal Rule of Bankruptcy Procedure 7067(a), a Court Order must be entered before funds may be deposited with the Court.

15. In accordance with Federal Rule of Bankruptcy Procedure 3011, attached hereto as Exhibits A through E are lists of all known names and addresses for the Claimants to which the Unclaimed Funds were distributed.

[Remainder of page intentionally left blank]

WHEREFORE, the Trustee respectfully requests that this Court enter an Order authorizing the deposit of Unclaimed Funds into the Court Registry and for such other and further relief as is just and proper.

Dated: July 23, 2021

/s/ George L. Miller

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